

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JUN 08 2010

JOHN F. CORCORAN, CLERK
BY: *L. Bright*
DEPUTY CLERK

JOHN D. EASTWOOD,

Plaintiff,

V.

MS. LEE KICKLIGHTER, ET AL.,

Defendants.

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that this civil action is **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915A(b)(1), for failure to state a claim, and this action is stricken from the active docket of the court.

ENTER: This 84 day of June, 2010.

Paul Cino
United States District Judge